



UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No. 10

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CHICAGO IL 60606-6473

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OCT 07 2002

In re Application of
Hetzer, Keunecke, Schlaaff & Gelfer
Application No.: 09/911,811
Filed: July 24, 2001
Attorney Docket No.: P01,0236
For: ARRANGEMENT AND METHOD FOR
DATA FOLLOW-UP WARMUP CYCLES OF
INK JET PRINT HEADS

OFFICE OF PETITIONS
DECISION GRANTING STATUS
UNDER 37 CFR 1.47(a)

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed September 23, 2002 (certificate of mailing date September 18, 2002).

The petition is **GRANTED**.

Petitioners have shown that the non-signing inventor, Mr. George Gelfer, has constructively refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration/statement of facts of Lieselotte Michel, patent prosecution administrator for the assignee of the invention, establishes that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration within a reasonable amount of time.¹ Petitioners have submitted a declaration in compliance with 37 CFR 1.63 and 1.64.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Technology Center 2800 for examination in due course.

Telephone inquiries should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ While the address for Mr. Gelfer listed on Ms. Michel's letter contains a typographical error --"Appelgate" rather than "Applegate"--, it is assumed that the US Postal Service would have been able to deliver the correspondence to the intended recipient.



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George G. Gelfer
135 Applegate Drive
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LETTER

OFFICE OF PETITIONS

Dear Mr. Gelfer.:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis
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